REMARKS

In an Office Action mailed on May 8, 2002, claims 7-12 and 19 were rejected under 35 U.S.C. § 112, second paragraph; claims 7-12, 13-15, 18 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tamura in view of Dara; and claims 16 and 17 were objected to as being dependent upon a rejected base claim but allowable if rewritten in independent form. Newly added claims 20-27 are patentable over the cited art. The rejections of the claims are discussed in the corresponding sections below.

§ 112 Rejections:

Claim 7 has been amended to overcome the § 112 rejection. Regarding the § 112 rejection of claim 8, the Examiner states, "'the associated data bit signal' lacks antecedent basis." However, Applicant does not understand the basis of this rejection. In this manner, claim 8 recites that each register is associated with a different one of the data bit signals, and each register indicates the degree of skew between the strobe signal and the associated data bit signal. Thus, "the associated data bit signal" refers to the data bit signal that is associated with the register, as set forth on line 2. Therefore, because the language that is referred to by the Examiner in claim 8 does have an antecedent basis, withdrawal of the corresponding § 112 rejection of claim 8 is requested.

§ 103 Rejections:

Claims 7-10, 13-15, 18 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable of Tamura in view Dara. The Examiner admits that Tamura is silent on the characteristics of a control signal indicating a skew between a data and clock signal. The Examiner further states that "the use of a pulse train whose duty cycle indicating the phase difference between two signals as well known in the art as evidenced by Dara." Office Action, p. 3.

The Examiner has not set forth a *prima facie* case of obviousness for rejecting the claims. In this manner, to establish a *prima facie* case of obviousness, there must be a suggestion or motivation either in the references themselves or in the general level of skill in the art to support the combination or modification. M.P.E.P. § 2143. The Examiner does not allege that the suggestion or motivation exists in the general level of skill in the art. Furthermore, the Examiner fails to specifically point out where such a suggestion or motivation exists in the cited references.

However, the Examiner must support the alleged suggestion or motivation with a specific cite to some portion of the cited references. *Ex parte Gambogi*, 62 USPQ2d 1209, 1212 (Bd. Pat. App. & Int. 2001); *In re Rijckaert*, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993); M.P.E.P. § 2143. Without such a specific cite, a *prima facie* case of obviousness has not been established. Thus, for at least this reason, withdrawal of the § 103 rejections of the claims is requested.

CONCLUSION

In view of the foregoing, withdrawal of the §§ 112 and 103 rejections and a favorable action in the form of a Notice of Allowance are requested. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504 (ITL.0294US).

Respectfully submitted,

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CLAIM AMENDMENTS

The claims have been amended as follows:

7. (Amended) A data receiver comprising:

buffers, each buffer to latch a different data bit signal;

a first circuit to:

for each data signal, generate at least one associated pulse train signal in response to a strobe signal and [for each] the data bit signal, a duty cycle of said at least one associated pulse train signal indicating a degree of skew between the associated data bit signal and the strobe signal; and

a second circuit coupled to the first circuit and the buffers to regulate latching of the data bit signals by the buffers based on the indicated degrees of skew.

13. (Amended) A method comprising:

using a data bit signal and a first strobe signal to generate at least one pulse train signal, a duty cycle of said at least one [the] pulse train signal indicating a degree of skew between the data bit signal and the first strobe signal; and

regulating a timing relationship between the data bit signal and a [the] second strobe signal based on the degree of skew indicated by the duty cycle.

14. (Amended) The method of claim 13, further comprising [wherein the indicating comprises]:

storing a calibration value indicative of the degree of skew.

18. (Amended) The method of claim 16 [13], wherein the duty cycle of said at least one pulse train signal indicates the degree of skew.

19. (Amended) The method of claim 13, further comprising:

causing the data bit signal [signals] to indicate a predetermined data pattern to generate [the] said at least one pulse train signal.